

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RIANA BUFFIN, ET AL.,

Plaintiffs,

v.

**CITY AND COUNTY OF SAN FRANCISCO, ET
AL.,**

Defendants.

CASE NO. 15-cv-04959-YGR

**ORDER RE: CLASS CERTIFICATION AND
PLAINTIFFS' REQUESTED RELIEF**

Re: Dkt. No. 140

Pending before the Court is plaintiffs' motion for class certification (Dkt. No. 140), on which oral argument was held on December 12, 2017. At the hearing, the Court discussed numerous issues with the parties. To facilitate the Court's consideration of the motion, the Court **ORDERS** as follows:

1. Mr. Telfeyan must, **within one week of this order**, clarify whom exactly from Equal Justice Under Law plaintiffs seek to appoint as class counsel and supplement the record with information regarding his adequacy to represent the proposed class. Further, Mr. Telfeyan is encouraged to identify additional counsel with class action and trial experience to represent the class jointly, given the Court's articulated concerns and his failures thus far. For instance, the Court researched the five cases cited in Mr. Telfeyan's declaration submitted in support of plaintiffs' motion (Dkt. No. 140-1 at ¶ 8) and found that he was not counsel of record in any of them, only the organization which he "co-founded."

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2. In light of the parties' argument, the Court is contemplating redefining the class as follows:


All pre-arraignment arrestees (i) who are, or will be, in the custody of the City and County of San Francisco; (ii) whose bail amount is determined by the Felony and Misdemeanor Bail Schedule as established by the Superior Court of California, County of San Francisco; (iii) whose arrest has not been reviewed by a judicial officer; and (iv) who remain in custody for any amount of time because they cannot afford to pay their set bail amount.

To the extent the parties have comments regarding the Court's proposed revised class definition, they must file such comments with the Court **within one week of this order**.

3. Finally, in light of the Court's expressed concerns regarding the overreaching scope of the relief sought by plaintiffs, plaintiffs shall, **within one week of this order**, clarify the relief they are seeking.

IT IS SO ORDERED.

Dated: December 14, 2017


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California